IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 30339-M of 2005

DATE OF DECISION : 08.03.2007

Neeraj Chhabra

.... PETITIONER

Versus

Haryana State Industrial Development Corporation Ltd. and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sumeet Mahajan, Senior Advocate, with
Mr. Sham Lal Bhalla, Advocate,
for the petitioner.

Mr. K.D.S. Hooda, Advocate,
for respondent No.1.

Petitioner Neeraj Chhabra has filed this petition under Section 482 of the Code of Criminal Procedure for quashing of complaint No. 414 dated 4.6.2004, titled Haryana State Industrial Development Corporation versus M/s Ina Polymers Ltd. (formerly named as M/s Ina Polyblanks Ltd.) and others, pending in the court of Chief Judicial Magistrate, Panchkula and the order dated 5.11.2004, whereby the petitioner has been summoned to face trial under Section 138 of the Negotiable Instruments Act.

Counsel for the petitioner states that in view of the fact that the petitioner is the signatory of the disputed cheques, the petitioner may be permitted to withdraw this petition at this stage, with liberty to raise all the points raised in this petition, at the appropriate stage of trial. He also prays that the personal appearance of the petitioner before the trial court may be exempted.

Dismissed as withdraw with the aforesaid liberty.

However, regarding exemption from personal appearance, it will be open for the petitioner to file application for exemption before the the trial court and in case any such application is filed, the same will be considered and decided in accordance with law by the trial court in view of the law laid down by the Supreme Court in ***M/s. Bhaskar Industries Ltd.*** v. ***M/s. Bhiwani Denim & Apparels Ltd.,*** 2001 (4) RCR (Criminal) 137

March 08, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**